APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/141,210	08/27/98	MATTISON	P 042390.P4817

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ART UNIT	PAPER NUMBER
2621	5

DATE MAILED:
12/05/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

| **Office Action Summary** | Application No. 09/141,210 | Applicant(s) MATTISON |
| | Examiner YOSEF KASSA | Group Art Unit 2621 |

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE _____3_____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on _____9/19/00_____ .
- ☒ This action is **FINAL.**
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) _____1—21_____ is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) _____1—21_____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d).
  - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
  - ☐ received.
  - ☐ received in Application No. (Series Code/Serial Number)_____ .
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).
  - *Certified copies not received:_____ .

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other_____

Office Action Summary

FINAL ACTION

RESPONSE AMENDMENT

1.   Applicant amendment filed 09/19/00 has been entered and made record.

2.   Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues in essence that Mori et al does not discloses or suggest an object oriented frame

work in which a method for translating an image in the object is sent along with the image to an

image processing device. The examiner disagrees. The prior art teach the FEP of the network

printer apparatus NPRT receives a request for printing from the NetWare environment, judges

whether the communication protocol TCP/IP protocol or the IPX/SPX protocol from ID of the

header portion of the packet (col. 9, lines 35-50). Applicant argues in essence that Mori et al

does not discloses or suggest method for translating image data is being transferred from the

client to the printer. The examiner disagrees. The prior art teach from workstation or any PC to

print image data through the network the client or user includes command or ID (col. 10, lines 1-

11). Applicant argues in essence that Mori et al does not discloses or suggest an abstract

machine executes object to obtain translated image data based upon the image data in each

object. The examiner disagrees. The prior art teach the network printer apparatus NPRT receives

a request for different environment UNIX and NetWare, judges (it could be translate) the

communication protocol (col. 9, lines 40-48).

Claim Rejections - 35 U.S.C. § 102

3.   **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that**

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14, 16 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated

by Mori, et al (5,982,994).

With regard to claim 1, Mori, et al discloses a machine-readable medium having

instructions that when executed by a processor cause the step of associating first image data and

first method as part of' an image object, i.e., the highest priority which is designated by the queue

and forms a dot image (col. 6, lines 64-67 of Mori, et al), the first method for being executed by

an abstract machine to obtain first translated image data based upon the first image, i.e., the

communication protocol controller identifying in accordance with the predetermined protocol (

col. 6, lines 54-59 of Mori, et al).

With regard to claim 2, associating second image data with the first method as part of the

object, the first method for being executed by the abstract machine to obtain second translated

image data based upon the second image data, i.e., the LAN driver identifying the

communication protocol information (col. 6, lines 53-67 of Mori, et al).

With regard to claim 3, associating second image data and second method as part of a

second object, the second method for being executed by the abstract machine to obtain second

translated image data based upon the second image data (col. 7, lines 1-11 of Mori, et al).

With regard to claim 4, the first translated data is in the same format as the first data (col.

4, lines 33-36 of Mori, et al).

Claims 5, 7-10 and 20 is rejected the same as claims 1 and 2. Thus, arguments analogous

to those presented above for claims 1 and 2 are applicable to claims 5, 7-10 and 20.

Claims 6, 19 and 21 is rejected the same as claim 4. Thus, arguments analogous to those

presented above for claim 4 are applicable to claims 6, 19 and 21.

With regard to claim 11, the first image data is the sensor data (col.3, lines 60-64

of Mori, et al).

With regard to claim 12, second memory having instructions that when executed by the 4

processor cause processing the sensor data into the first image data (col. 4, lines 1-8 of Mori, et

al).

With regard to claim 13, the processing comprises performing an image processing

methodology on the sensor data (col. 4, lines 9-13 of Mori, et al).

With regard to claim 14, logic circuitry for processing the sensor data into the first image

data, i.e., the algorithm physical manipulation of physical quantities (col. 1, lines 55-64 of Mori,

et al).

With regard to claim 16, interface to a communication medium for transferring the first

image data and the first method to a processing system separate from the imaging device, the

processing system being configured with said abstract machine (col. 1, lines 33-41 of Mori, et al

).

Claim Rejections - 35 U.S.C. § 103

4.   **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all**

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Mori, et al (5,982,994) in view of Kanoh, et al (5,873,077).

With regard to claim 15, the logic circuitry performs a color interpolation algorithm on

the sensor data (col. 3, lines 35-50 Kanoh, et al).

With regard to claim 17, the image object comprises a TIFF file, the TIFF file comprising

the first image data and the first image method (col. 15, lines 15-20 of Kanoh, et al).

Mori, et al does not explicitly call for tag image file format (TIFF) . However, this feature

is thought by Kanoh, et al. Mori, et al shows a network printer is used in common by clients

having different communication protocols sort out printing jobs to the clients. Kanoh, et al

shows document retrieval and searching system on an interconnected computer network. Mori,

et al and Kanoh, et al are combinable because they are from network communication area (

abstract), for example.

At the time of the invention, it would have been obvious to a person of ordinary skill in the

art to communicate with deferent protocol. The motivation for doing so would have been to

connect network printer to a plurality of personal computer (col. 1, lines 19-26 of Mori, et al).

Therefore, it would have been obvious to combine Mori, et al and Kanoh, et al to obtain the

invention as specified in claim 17.

With regard to claim 18, the translated first image data is part of an image file being in the

Device Independent Bitmap (DIB) format (col. 4, lines 27-33 of Kanoh, et al).

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
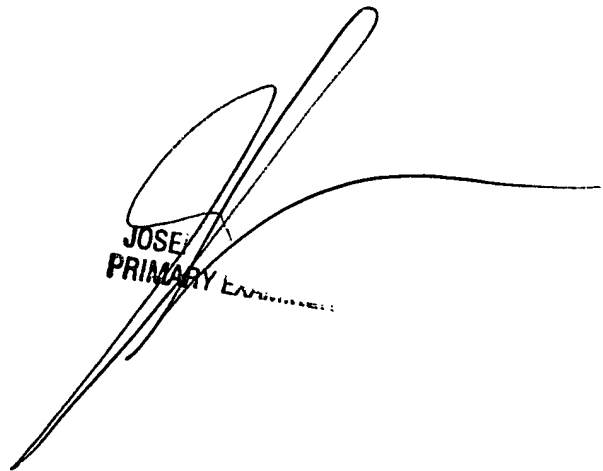
final action.

Any inquiry concerning this communication from examiner should be directed to Yosef

Kassa whose telephone number is (703) 306-5918.   If attempts to reach the examiner by

telephone are unsuccessful, any inquiry of a general nature or relating to the status of this

application should be directed to the group receptionist whose telephone number is (703) 305-

3900.

YOSEF KASSA

Yosef Kassa

11/22/00

JOSE
PRIMARY EXAMINER